

58768.000007

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

107531996
To Be Assigned

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

| | | |
|-------------------------------|---------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
| PCT/05/07201 | March 7, 2005 | March 5, 2004 |

TITLE OF INVENTION

PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIO THERAPY

APPLICANT(S) FOR DO/EO/US

Yongren Benjamin PENG; Xingye Cherry LEI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A Preliminary Amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

Copy of the International Application as Filed

U.S. APPLICATION NO. (IF KNOWN) SEE 37 CFR 1.7
107531996
To Be Assigned

INTERNATIONAL APPLICATION NO.

PCT/05/07201

ATTORNEY'S DOCKET NUMBER

58768.000007

| | | | | | |
|--|--------------|---|------------|---------------------------|-------|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS PTO USE ONLY | |
| <input checked="" type="checkbox"/> a) Basic National Fee \$ 150.00 | | | | \$ 150.00 | |
| <input checked="" type="checkbox"/> b) Examination Fee \$ 100.00 | | | | \$ 100.00 | |
| <input checked="" type="checkbox"/> c) Search Fee \$ 50.00 | | | | \$ 50.00 | |
| TOTAL OF ABOVE CALCULATIONS \$300.00 | | | | \$ 300.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | RATE | |
| - 100 | /50 | | | x \$250.00 | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 35 = | 15 | x \$ 25.00 | \$ 375.00 | |
| Independent claims | 2 = | 0 | x \$100.00 | \$ 0 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 675.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ 675.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 675.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ 675.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$675 |

- a. A check in the amount of \$675.00 to cover the above fees is enclosed.
- b. Please charge Deposit Account No. 50-0206 in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0206 A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NO. 21967

Intellectual Property Department
 Hunton & Williams LLP
 1900 K Street, N.W.; Suite 1200
 Washington, DC 20006-1109
 (202) 955-1500 (telephone)
 (202) 778-2201 (facsimile)

| | |
|--|----------------|
| <u>Alexander H. Spiegler</u> | |
| SIGNATURE | |
| Robert M. Schulman and Alexander H. Spiegler | |
| NAME | |
| 31,196 and 56,625 | April 20, 2005 |
| REGISTRATION NUMBER | DATE |

10/531996
JC13 Rec'd PCT/PTO 20 APR 2005

INTELLECTUAL PROPERTY DEPARTMENT
HUNTON & WILLIAMS LLP
1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201
ALEXANDER H. SPIEGLER
Direct Dial: (202) 955-1899
EMAIL: aspiegler@hunton.com

April 20, 2005

File No: 58768.000007

In re application of:)
Yongren Benjamin PENG et al..) Group Art Unit: Not Yet Assigned
Serial Number: Not Yet Assigned) Examiner: Not Yet Assigned
Filed: April 20, 2005) Confirmation No. Not Yet Assigned

For: PARTICULATE MATERIALS AND COMPOSITIONS FOR RADIOTHERAPY

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith in the above-identified application are:

- *Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371
- *Preliminary Amendment Under 37 C.F.R. § 1.115
- *Declaration and Power of Attorney for Patent Application (Executed)
- *Copy of the International Application as filed - Specification (37 pages), Claims (4 pages, numbered 1-35), Abstract (1 page), Drawings (14 pages, Figs 1-10)
- *A check in the amount of \$675.00 for National Phase filing fee

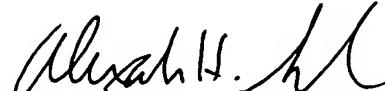
Fees have been calculated as shown below:

- No additional fee is required.
- A check in the amount of \$675.00 is attached.
- Charge \$ ___ to Deposit Account No. 50-0206.
- Charge any additional fees or credit any overpayment to Deposit Account No. 50-0206.

TOTAL FEE DUE \$675.00

Respectfully submitted,

By:



Alexander H. Spiegler
Registration No. 56,625

RMS/AHS:sac